

FINANCIAL BUSINESS.

DEMAND FOR SUPPLEMENTARY GRANTS.

I. Land Revenue and Taxes on Income.

MR. M. RAMACHANDRA RAO : Sir, I move for a grant of Rs. 500 for additional T. A. to the Income Tax Department.

Sir, a sum of Rs. 3,100 was sanctioned for this purpose in the Budget for this year, out of which a sum of Rs. 513 had to be incurred on account of liabilities of the previous year on the same account. The expenditure during this year has been very carefully watched and yet this sum of Rs. 500 which was spent towards the account of last year was found necessary; I assure that the expenditure for this year will be kept under the sanctioned allotment.

PRESIDENT : The motion before the House is that Government be granted a sum of Rs. 500 by way of supplementary grant under Demand No. 1 Land Revenue and Taxes on Income.

The motion was put and carried and the grant was made.

IX. MEDICAL.

VAIDYASASTRA KUSALA DR. MRS. M. POONEN LUKOSE : Sir, I rise to move for a supplementary grant not exceeding Rs. 1,600 under Demand No. IX. Medical...

MR. KAINIKKARA M. PADMANABHA PILLAI : Sir, on a point of order. We have not got the sheets of the Supplementary Demand.

PRESIDENT : Why? Is it so Mr. Secretary? Well, if this is so and if Honourable Members have not got copies of the demand, I shall take it up tomorrow. Will that be alright?

MR. KAINIKKARA M. PADMANABHA PILLAI : Yes.

PRESIDENT : Order, order. The other supplementary grants will be moved tomorrow morning. Now, we will pass on to the other work. Mr. Secretary, there ought to be no room for this kind of complaint.

MR. A. GUNAMONY (Secretary) : Yes, Sir.

LEGISLATIVE BUSINESS.

THE TRIVANDRUM CITY MUNICIPAL BILL.

(Second reading and further stages of—)

MR. PUTHUPALLI S. KRISHNA PILLAI : Sir, I beg to move that the Trivandrum City Municipal Bill as reported by the Joint Committee be taken into consideration.

MR. M. K. GOPALA PILLAI : I second it.

The motion was put and carried.

Clauses 1 and 2.

The motion that clauses 1 and 2 stand part of the Bill was put and carried.

Clauses 1 and 2 were added to the Bill.

Clause 3.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I beg to move that.

"In clause 3, after sub-clause (26) the following new sub-clause shall be inserted as sub-clause (27), renumbering the existing sub-clauses (27) to (37) as sub-clauses (28) to (38), namely—

"Place of public entertainment."

"(27) 'Place of public entertainment' shall mean any place, enclosure, building, tent, booth or other erection, whether permanent or temporary, where music, singing dancing or any diversion or game, or the means of carrying on the same is provided, and to which the public are admitted either on payment of money, or with the intention that money may be collected from those admitted, otherwise than for a *bona fide* charitable purpose; and shall include a race-course, circus, theatre, music hall, billiard room, bagattele room, gymnasium and fencing school."

Sir, one honourable member has made a proposal for an amendment to clause 366 for empowering the Council to frame bye-laws for regulating theatres and places of public entertainment. In the absence of a definition of the expression relating to public entertainments, it may be difficult to frame and enforce proper bye-laws. This amendment is therefore made in anticipation of the amendment to clause 366. I am satisfied that a motion for amendment to clause 366 would be necessary. This amendment is therefore moved.

MR. M. K. GOPALA PILLAI: Sir, I second it.

The amendment was put to vote and carried.

The motion that clause 3 as amended stand part of the Bill was put and carried.

Clause 3, as amended, was added to the Bill.

Clause 4.

The motion that clause 4 stand part of the Bill was put and carried.

Clause 4 was added to the Bill.

Clause 5.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN (*Neyyattinkara cum Tri-vandrum*): Sir, I have sent up two amendments under Clause 5. I request that I may be permitted to move both the amendments together in the following form.

"In Clause 5, add the following as sub-clause (2): renumbering sub-clause (2) as sub-clause (3).

"In addition to the Councillors referred to in sub-clause (1) Our Government may appoint a person or persons having special knowledge or experience of any subject relating to the municipal administration to be Special Councillor or Councillors for such subject. Every Special Councillor shall exercise the rights of a Councillor only in respect of the subject for which he is appointed, but he may attend any meeting of the Council and take part in the discussion of any other subject without the right of voting. There shall not be more than two Special Councillors on the Council at any time."

Sir, I am only copying this provision from the Madras City Municipal Act. The object of the amendment is quite clear. It is to enable the Government to lend the Council the services of their expert members like the Heads of Departments. The Council can then benefit itself by the services of the experts when some technical subjects come up before the Council. A concrete example may be taken. You might remember that recently a question relating to water cess, contribution to Government came up before the Council. The Council formed a certain opinion. It was forwarded to the Government. The Water Works Engineer, who was consulted in connection with that matter, differed. A sort of informal conference was then arranged with the representatives of the Council and the Water Works Engineer and the matter was finally settled. If, on the other hand, the Water Works Engineer had been present during the deliberations of the Council, much of this trouble could have been avoided. I do not think there will be any objection to accept a provision of this nature.

MR. C. P. GOPALA PANICKER (*Co-opted*): I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I am prepared to accept it.

PRESIDENT: Have you looked into the actual wording of the amendment.

MR. PUTHUPALLI S. KRISHNA PILLAI: Yes.

The amendment was put to vote and carried.

The question that clause 5 as amended, stand part of the Bill was put to vote and carried.

Clause 5 as amended was added to the Bill.

Clause 6.

The question that Clause 6 stand part of the Bill was put and carried.

The clause was added to the Bill.

Clause 7.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: I do not move the amendment standing in my name.

The question that Clause 7 stand part of the Bill was put and carried.

The clause was added to the Bill.

Clause 8.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: Sir, I am not moving the amendment.

The question that Clause 8 stand part of the Bill was put and carried.

The clause was added to the Bill.

Clauses 9 & 10.

The question that Clauses 9 and 10 stand part of the Bill was put and carried.

The clauses were added to the Bill.

Clauses 11 & 12.

MR. S. NATARAJA PILLAI (*Co-opted*): I am not moving the amendment to Clause 11.

The question that Clauses 11 and 12 stand part of the Bill was put and carried.

The Clauses 11 and 12 were added to the Bill.

Clause 13.

MR. S. NATARAJA PILLAI: Sir, I beg to move "In Clause 13, delete the words 'six hundred' occurring after 'rupees' and substitute instead the words 'five hundred.' In the Bill as framed by the Government, they fixed Rs. 500 as the salary of the Commissioner. The Select Committee enhanced it to Rs. 600. I do not know the reasons that weighed with them in enhancing the salary of the Commissioner. The Council has fixed the figure as Rs. 500. We are now getting Tahsildars and officers of the first grade as Presidents; and they are paid Rs. 250 to Rs. 300. These officers have turned out excellent work and the Council had no complaint against them. On the other hand, there has been great appreciation in the case of many, especially rewards, and the Council, has from time to time, recorded their appreciation. If we could get, on this pay, efficient officers who co-operate with the Council and do great service to the city, I do not know why the salary should be enhanced to Rs. 600. On the other hand, the salary of Rs. 500 fixed by the original Bill will be amply sufficient. The policy elsewhere has been to fix the maximum salary as Rs. 500. I am sure that this House will be prepared to accept Rs. 500 instead of Rs. 600, especially in the case of an institution like the Trivandrum Municipality, which is not very strong financially. I do not say that we are bankrupts; but we have got plenty of schemes for which money is needed. So I say that this amount is sufficient. I therefore move, the amendment and request the House to accept it.

SAHIB BAHADUR P. S. MUHAMED (*Quilon cum Kottarakara*): I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, from the original proposal to provide for the post of an officer on Rs. 500, the Joint Committee, after great discussion, came to the conclusion that it ought to be raised to Rs. 600. The arguments that were advanced in support of the change made by the Joint Committee were these. The Commissioner is invested with very great and extensive powers under the Act. The administration of the municipal affairs will therefore have to be entrusted to a Commissioner of high status and experience. The honourable member who moved the amendment said that a Tahsildar or an officer of the grade of an ordinary Tahsildar who is now discharging the functions of the President, will be quite ample for the corporation. It may be that the present President will be a capable Commissioner, but that is no argument for lowering his pay. The future Commissioner under this Act will be entirely different from the President under the existing Act.

He will be an entirely different officer. As I said, the powers that are being vested in him are such that an officer of the grade of a Tahsildar would be insufficient. In practice we will require a high salaried officer with considerable experience. Is it not therefore in the interests of the Municipality that the maximum limit should be raised by at least Rs. 100? The Peishkar of a Division is an officer who is to get Rs. 500-700 and the intention or rather the idea of the Joint Committee was that it must be an officer some what of that grade. After all it is only an enabling power that is given by this section. It is stated—not exceeding Rs. 600. If the Municipality or the Government think that it is only an officer on Rs. 300 that should be appointed they can appoint only an officer of that grade. But on the other hand if for the purpose of discharging the functions devolving on the Commissioner, an officer of a higher status must be appointed there must be the power to do so and therefore the maximum limit has been raised to Rs. 600. I leave the matter to the decision of the House. Sir, I was for Rs. 500 in the beginning, but the majority opinion prevailed.

PRESIDENT: The honourable member is not entitled to reveal what happened in committee.

The amendment was put to vote and carried.

The question that clause 13 as amended do stand part of the Bill was put and carried. The clause as amended was added to the Bill.

Clauses 14 to 48.

As the amendments given notice of by members were not moved, the question that Clauses 14 to 48 inclusive do stand part of the Bill was put and carried. The clauses were added to the Bill.

Clause 49.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: I request that I may be permitted to make some changes in the form of the amendments sent by me. That is to say, in sub-clause (b) of Clause 49 for the words, letters and brackets “in Clause (a), (b) and (c)” the following words letters and brackets may be substituted, namely “in Clause (a), (b), (c), (d) and (e).”

Under the existing Municipal Act persons who are qualified to vote are enumerated in the rules framed under the Act. The persons who are qualified to vote are enumerated in Rule 4 and they are:

(a) persons who own buildings or lands situated within the limits of the Municipality and who are liable to pay a tax to the Municipal Council on such buildings or lands amounting either separately or in the aggregate to one Rupee per annum and upwards provided that such ownership is evidenced by registration in the Municipal books.

(b) Persons who are liable to pay a tax under Schedule A of the Regulation.

(c) Government pensioners drawing a pension of Rupees ten per mensem and upwards.

(d) Persons drawing a salary of Rupees twenty per mensem and upwards.

[Mr. Murukkumpuzha V. Kunjukrishnan]

(e) Persons paying a house rent of Rupees five per mensem and upwards.

(f) Graduates of any recognised University.

So that, under the existing Act we give the right of voting both to those who pay tax to the Municipality and to other sets of people like the pensioners, persons who pay rent for houses situated within the Municipality, and graduates of recognised universities. But in the Bill that is before us the voting right is given only to those persons who pay some tax or other to the Municipality. This system the framers of the Bill have copied from the Madras City Municipal Act. But in Section 49 the voting right is extended to only three sets of tax-payers. The persons who are liable to pay tax to the Municipality are enumerated in Section 93. It says:

The Council may levy—

- (a) a property tax
- (b) a tax on companies
- (c) a profession tax
- (d) a tax on carriages and animals
- (e) a tax on carts
- (f) tolls on vehicles and animals entering the city,
(and may with the previous sanction of Our Government, levy
- (g) a tax on advertisements and
- (h) a tax on entertainments).

Of these eight classes of persons the voting power is given under the Bill only to the first three classes of persons, namely those who pay property tax, tax on companies and profession tax. The object of my amendment is to widen it a little and give the right of voting to two sets of tax payers more, those who pay tax on carriage and vehicles and those who pay tax on carts. Under the existing provision, a hotel keeper who pays eight annas profession tax is entitled to vote but on the other hand a bus owner who has to pay a tax of Rs. 60 is not entitled to vote. Therefore my submission is that the power to vote may be extended to the first five classes of persons. With these observations I commend my amendment for the acceptance of the House.

MR. S. NATARAJA PILLAI: I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, the amendment is in order. The only question is whether it ought to be accepted. It adopts the principle contained in the Bill, that it is only those who pay any tax to the Municipality that ought to get the right to vote. But what is the sort of tax that may be taken as the criterion for determining the right to vote? It is provided in the Bill, as revised by the Joint Committee that it ought to be either a property tax, or a profession tax or a tax on companies. If it is the intention of the House to widen the franchise, the proposal made by the honourable member is in order and may be accepted.

PRESIDENT: Has the honourable member any idea as to how far the amendment will widen the franchise?

MR. PUTHUPALLI S. KRISHNA PILLAI: It will include, Sir, persons who pay tax on animals and the animals that are liable to be taxed are enumerated in the schedule, namely, dogs, pigs buffaloes, sheep, etc.

MR. M. SIVATHANU PILLAI (*Tovala cum Agastisvaram*): May I know whether the amendment seeks to make a difference between tax and licence fee?

MR. PUTHUPALLI S. KRISHNA PILLAI: There is a tax leviable under the Act and there is a licence fee which is obligatory. The tax on animals leviable under Section 93 is different from a licence fee.

MR. KOTTALIL P. ABRAHAM: Have not these tax payers to be residents in the town?

MR. PUTHUPALLI S. KRISHNA PILLAI: Yes, that is one of the necessary qualifications. Personally I do not see any objection to the amendment. I leave it to the decision of the House.

The amendment was put to the vote of the House and declared carried.

The question that Clause 49 as amended do stand part of the Bill was put and carried. The clause as amended was added to the Bill.

Clause 50.

MR. PUTHUPALLI S. KRISHNA PILLAI: There is a consequential amendment to Clause 50 and if the mover of the previous amendment does not move it, I shall move it.

PRESIDENT: You may move it. Order, order.

I understand there is some difficulty in having the supplementary grants tomorrow as the official members in charge of these have to give place to others. If the honourable members have no objection, I shall take them after the amendments are disposed of.

The House expressed its assent.

MR. PUTHUPALLI S. KRISHNA PILLAI: I move that in clause 50, sub-clause (1) for the words letters and brackets "in clause (a), (b) or (c)" the following words letters and brackets shall be substituted namely — "In clause (a), (b), (c) (d) or (e)"

MR. M. K. GOPALA PILLAI: I second it.

The amendment was put to vote and carried.

PRESIDENT: The question before the House is that clause 50 as amended and Clauses 51 to 68 both inclusive, stand part of the Bill.

The motion was put and carried. The clauses were added to the bill.

Clauses 69 to 72.

As the amendment to clause 69 was not moved, the motion that Clauses 69 to 72 form part of the Bill was put and carried.

The clauses were added to the Bill.

Clause 73.

MR. S. NATARAJA PILLAI: Sir, I move the following amendment:—

In Clause 73, for the words "five hundred" substitute the words "two hundred and fifty."

[Mr. S. Nataraja Pillai]

This amendment relates to the powers of the Commissioner who will sanction an amount which does not exceed Rs. 250 instead of Rs. 500. From experience it is found that Rs. 250 will be sufficient because there is a Standing Committee to deal with the question. That committee will take over all estimates for consideration and necessary action. It may also be said that it meets often. Under the circumstances there is no necessity for investing the Commissioner with powers to pass estimates for more than Rs. 250. There is no practical difficulty in accepting this amendment either. For these reasons, I move my amendment for the acceptance of the House.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: Sir, I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Under the new bill the Commissioner has got power to sanction any estimate the amount of which does not exceed Rs. 500 and the honourable member now wants that amount to be reduced to Rs. 250. I am not satisfied that it is in the interests of the Municipality to reduce the power of the Commissioner. Therefore I oppose the amendment.

The amendment was put to vote and lost.

The motion that clause 73 stand part of the bill was put to vote and carried.

The clause was added to the bill.

Clause 74.

The motion that clause 74 stand part of the bill was put to vote and carried.

The clause was added to the bill.

Clause 75.

MR. PUTHUPALLI S. KRISHNA PILLAI: The next amendment to clause 75 is only a consequential amendment to clause 73 which was moved and lost.

MR. S. NATARAJA PILLAI: No, Sir. Because the amendment to clause 73 is lost it does not follow that this amendment to clause 75 should not be moved. I will explain. I move the following amendment:—

In clause 75, sub-clause (2) (c), for the words "five hundred" substitute the words "two hundred and fifty."

With the modification the amendment reads thus:

"No contract involving an expenditure exceeding two hundred and fifty rupees and not exceeding two thousand rupees shall be made by the Commissioner unless it has been sanctioned by the Committee."

Now, the president of the council has no power of entering into a contract whatever. For the first time, the Commissioner who is an official subordinate, is given the power to making contracts and sanctioning estimates, the amount of which does not exceed Rs. 500, without the necessary sanction from the Council. I think this is an unnecessary provision. So far as the expenditure goes to Rs. 2,500, such a great power is not proposed to be given to the Commissioner, without the

Committee's sanction. I do not say that such a power should not be given. So long as he is an official, he will be bound by the Councillors. So long as he is an official, the Councillors are bound to see that their views prevail in the matter of controlling the expenditure. For the first time a Commissioner is to be appointed on a very high salary and if he is to spend Rs. 500 and enter into a contract without the necessary sanction from the Council, I do not think the Council will in any way be able to control him. It may be said that whatever is sanctioned by him will come to the Council later on for ratification. I would ask, what could be done after the thing has become final. In the practical working also, there is some difficulty. In the way in which the machinery of the Municipality works, unless there is very great supervision on the part of the executive officer, it is not possible for the Commissioner himself to be free from getting into difficulties. In the matter of entering into contracts, there are certain cases which are even now pending before Government. I will cite one case. Sometime back, the Trivandrum Municipal Council acquired a property on lease for the purpose of a car stand, in a particular place. The Municipality were paying lease amount to the owner. That was going on smoothly for some time. Very recently the Municipality got a notice to the effect that the property should be surrendered with the building thereon. We asked for further details. We were told that the building was not there. We enquired about the building. When the matter was further enquired into, we were told that years ago the building had vanished. The official President who was then at the helm of affairs is not the President now. He himself was not at great fault. Probably, the subordinates too were not at fault. But the thing has happened. Such things will certainly continue to happen. The Standing Committee is certainly bound to enquire into such matters and fix the responsibility somewhere. Without leaving the entire burden on the official who has many duties to perform, I think that as a measure of caution, no contract involving an expenditure exceeding Rs. 250 shall be made by the Commissioner. With these words, I commend the amendment for the acceptance of the House.

MR. M. SIVATHANU PILLAI: In seconding the proposition I wish to make a few observations. I am afraid that most of the members of this House have confused the powers given to the Commissioner in the matter of sanctioning the estimates to the extent of Rs. 500 and powers to be given to the Commissioner in the matter of entering into a contract not exceeding Rs. 500 on behalf of the Municipal Corporation. There is a world of difference between the two. In regard to sanctioning estimates for a particular work, the Commissioner may be competent to give an opinion on the matter or even better opinion on the matter compared to the members of the Council. But in the matter of entering into a contract on behalf of the Municipal Council which involves expenditure on the Municipality, it is not an easy thing for the Commissioner. The House has to take particular care of that investment of power with the Commissioner. It involves an amount not exceeding Rs. 500. However much the Legal Remembrancer may say about

[Mr. M. Sivathanu Pillai.]

vesting of such power with the Commissioner, the House cannot be convinced of those arguments. In the matter of local self-Government institutions, particularly when we are instituting a corporation at the capital of the State, the House has to see that the educated and enlightened members of this municipal town are given their share in the matter of administering and controlling the Municipal fund. There may arise cases when the Government may think it necessary to get a particular work done by the Commissioner who is under their direct control and who naturally may be amenable to the Government's inclinations rather than of the Council. In other words, the Government may be tempted to influence the Commissioner who is a direct subordinate of theirs to see to get a particular work done without any regard whatever of the Council. At least to avoid the temptation of doing things behind the back of the Council, the amendment suggested here is very apt. The amount could be limited to Rs. 200 or even Rs. 100 if it is a question of merely spending it. The provisions of the Bill should not be construed in a spirit of red tapism. This is a piece of legislation which is deliberately intended to enlarge the powers of the Council. I think that this bill is aimed at developing a sense of civic responsibility among the representatives of the different wards of the Corporation. It is very much in the interest of the municipality that such a provision is inserted and not to empower the Commissioner to enter on contracts up to Rs. 500 behind the back of the Council. I trust that the Legal Remembrancer will be only glad to accept such a wholesome provision.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I oppose the amendment. It is stated in Clause 2 (e) that every contract made by the Commissioner involving an expenditure exceeding 300 rupees and not exceeding 500 rupees shall be reported to the Standing Committee within 15 days after it has been made. Provision has therefore been made for compelling the Commissioner to make a report of every contract that he enters into involving an amount exceeding 300 rupees to the Standing Committee. That shows that the Committee is appraised of the fact of entering into a contract, that is, the Committee has an opportunity to enquire into the matter and to take steps for correcting the mistakes committed by the Commissioner. Even though the Commissioner is proposed to be invested with the power of entering into a contract, it is provided that in the case of all contracts where the amounts exceed 300 rupees a report of it has to be made to the Standing Committee.

MR. M. SIVATHANU PILLAI: May I ask, whether the Standing Committee could reject a contract entered into by him?

MR. PUTHUPALLI S. KRISHNA PILLAI: If this contract is opposed, the next contract could not be carried out by him. That is the sort of machinery designed by the provisions. The Commissioner will not be in a position to flout the opinion of the Committee for a second time. It is not possible for a Commissioner to enter into a contract in the way he alone desires. An executive power is vested in the Standing Committee to effectively control the Commissioner by way of limiting an

expenditure between Rs. 300 and Rs. 500. Then a report has to be made to the Standing Committee. What is the use of that report unless it be to help them to interfere in appropriate cases. A Commissioner who flouts the opinion of the Standing Committee will not be in a position to remain as Commissioner for any length of time. That is the idea contained in the provision. Again, for the purpose of carrying out an ordinary work which involves an amount not exceeding Rs. 500 a Commissioner has to get the sanction of the Standing Committee. That means that he will not be in a position to attend to it immediately.

As was said by the honourable members, certainly the responsibility is vested in the Council under the present Act. It was not possible for the Council to know that the building for which 'they had been paying rent has disappeared. That was possible under the existing act but we do not want a repetition of it. The inordinate delay in the execution of petty works can be only by vesting sufficient power in one officer. Considering the Status of the Officer, the power now provided does not appear to be excessive. I therefore oppose this amendment.

SAHIB BAHADUR P. S. MUHAMED : സർ, ഞാൻ ഈ ഭേദഗതിയെ അനുകൂലിക്കുന്നു. ൫൦൦ രൂപയുടെ കൺട്രാക്ട് കൊടുക്കാനുള്ള അധികാരം കാർപ്പറേഷൻ കമ്മീഷണർക്കു നൽകിയില്ലെങ്കിൽ കാർപ്പറേഷന്റെ പ്രവർത്തനം നിന്നുപോകുമെന്നോ അല്ലെങ്കിൽ കാർപ്പറേഷൻ പ്രവർത്തനം സാരമായ ദോഷങ്ങൾ ഉണ്ടാക്കുമെന്നോ ലീഗൽ റിമോബ്രൻസറുടെ പ്രസംഗം കൊണ്ട് വ്യക്തമാകുന്നില്ല. കാർപ്പറേഷൻ എന്ന പേരു കൊടുത്തതുകൊണ്ട് ജനപ്രഭുത്വഭരണത്തിന് വല്ല ഭംഗവും വരുത്തണമെന്നു ഉദ്ദേശിക്കുന്നതായി തോന്നുന്നില്ല. മഹാരാജാവ് തിരുമനസ്സുകൊണ്ട് ജനങ്ങൾക്കു അവിടത്തെ അധികാരത്തിൽ ഏതാണ്ടു ചിലതു വിനിയോഗിച്ചു നൽകിയിട്ടുള്ള ഒരു സ്ഥാപനമാണ് മുനിസിപ്പാലിറ്റി. അവിടേയും ഏകാധിപത്യഭരണത്തിന് ശക്തി കൂടത്തക്ക നിലയിലുള്ള വ്യവസ്ഥകൾ നിയമത്തിൽ കത്തിച്ചെഴുതുന്നതു കഴിയുന്നതും സൂക്ഷിച്ചു വേണ്ടതാണ്. തിരുവനന്തപുരം കാർപ്പറേഷൻ കമ്മീഷണർക്കു ൫൦൦ രൂപയുടെ കൺട്രാക്ട് കൊടുക്കുന്നതിനുള്ള അധികാരം കൊടുത്തില്ലെങ്കിൽ അതുകൊണ്ടു യാതൊരു ദോഷവും വരാനില്ല. ഇന്ന് ഈ അധികാരം ഇല്ലാത്തപ്പോൾ മുനിസിപ്പൽ പ്രസിഡൻറുമാർ കൗൺസിലിന്റെ അനുമതിയോടുകൂടി ഭംഗിയായി ഭരണം നിർവഹിക്കുന്നുണ്ട്. പോരെങ്കിൽ ഈ നിയമപ്രകാരം സ്റ്റാൻഡിംഗ് കമ്മിറ്റികൂടി നിർദ്ദേശിച്ചിരിക്കുന്നതുകൊണ്ട് ഇതു അധികാരം കൊടുക്കേണ്ട ആവശ്യമില്ല. അതുകൊണ്ടു ഞാൻ ഈ ഭേദഗതിയെ വളരെ സന്തോഷത്തോടുകൂടി അനുകൂലിക്കുന്നു.

The amendment was put to vote and carried.

MR. S. NATARAJA PILLAI: My second amendment to that clause is a consequential amendment. The amendment is:—“In clause 75, sub-clause (2) (e), for the words ‘three hundred’ and ‘five hundred’ the words ‘one hundred’ and the words ‘two hundred and fifty’ shall respectively be substituted.” Because the other amendment has been accepted and the figure 250 put instead of 500 this is a necessary amendment in the interest of the Commissioners themselves.

MR. M. SIVATHANU PILLAI: I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, it is not a consequential amendment. It need not be Rs. 100. When it was Rs. 500, the limit was Rs. 300.—When it has been lowered to Rs. 250 the limit should be at least Rs. 150.

MR. S. NATARAJA PILLAI: Sir, I accept the amendment.

The amendment was put to vote and carried.

The question that clause 75 as amended do stand part of the Bill was put to vote and carried.

The clause was added to the Bill.

Clauses 76 to 82.

The question that clauses 76 to 82 do stand part of the Bill was put to vote and carried.

The clauses were added to the Bill.

Clause 83.

MR. S. NATARAJA PILLAI: Sir, I am not moving that amendment.

The question that clause 83 stand part of the Bill was put to vote and carried.

The clause was added to the Bill.

Clauses 84 to 92.

The question that clauses 84 to 92 do form part of the Bill was put to vote and carried.

The clauses were added to the Bill.

Clause 93.

MR. S. NATARAJA PILLAI: Sir, I beg to move that.

“In clause 93, Sub-clause (f) after the words “the previous sanction of” insert the words “and subject to such rules as may be framed by.”

PRESIDENT: Has the Legal Remembrancer any objection to accept the amendment?

MR. PUTHUPALLI S. KRISHNA PILLAI: No, Sir.

The amendment was put to vote and carried.

MR. S. NATARAJA PILLAI: Sir, I move that “In Clause 93, add the following as sub-clause (1) after sub-clause (h):

(i) a duty on certain transfers of property in the shape of an additional stamp duty.”

A direct taxation is one which people will object to pay. But a small taxation for the transfer of property within the municipal limits is some thing which people can easily pay.

PRESIDENT: Trivandrum wants to take advantage of speculation. Is that the idea?

MR. S. NATARAJA PILLAI: The Madras Act contains a similar provision. Here also if such a provision is introduced, in view of the large number of transfers of property that are taking place, the Council will be able to get a substantial revenue. I think it will not fall very heavily on the people. In the District Municipalities Act in British India there is a similar provision. I should think that it would be welcome here also. I therefore move the amendment for the acceptance of the House.

MR. MURUKUMPUZHA V. KUNJUKRISHNAN: I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: If the amendment is put in a different form there may not be any objection to accept it. May I be permitted to suggest the form.

In clause 93, (i) between the words "with the previous sanction of" and the words "Our Government" the following shall be inserted namely ;—"and subject to such rules as may be framed by,"

(ii) the word "and" at the end of clause (g) shall be deleted ;

(iii) after clause (h) the word "and" shall be added ; and

(iv) the following shall be added as clause (i) namely :—

"(i) a duty in the form of a surcharge on the duty imposed by the Travancore Stamp Act on transfers by way of sale, gift or mortgage with possession of immovable property within the limits of the city." If my friend has no objection to the amendment proposed by me there is no harm in accepting it.

MR. S. NATARAJA PILLAI: I accept the amendment.

SAHIB BAHADUR P. S. MUHAMED : സർ, ഞാൻ ഈ അമെൻഡ്മെൻറിനെ എതിർക്കുന്നു. തിരുവനന്തപുരം നഗരത്തിൽ താമസിക്കുന്ന പൗരന്മാർ കരത്തിന്റെ ആധിക്യംകൊണ്ടു വളരെ വിഷമതകൾ അനുഭവിക്കുന്ന ഒരു സന്ദർഭമാണിത്. വാട്ടർകരം, ലൈറുകരം തുടങ്ങിയ അനവധി കരങ്ങൾ അവർ കൊടുക്കേണ്ടിയിരിക്കുന്നു. ചുരുക്കത്തിൽ മുനിസിപ്പാലിറ്റിക്കു ഏതെല്ലാം വിധത്തിൽ പണമുണ്ടാക്കാമോ ആ വഴികളിലെല്ലാം ജനങ്ങളുടെ മേൽ നികുതി ചുമത്തിയിട്ടുണ്ട്. ഇതു കാർപ്പൊറേഷനുകമ്പോൾ വലിയ ശമ്പളം വാങ്ങിക്കുന്ന ജനങ്ങളോടൊപ്പം സാധുക്കളായ ജനങ്ങൾക്കും ഇവിടെ ജീവിക്കണമെന്നുള്ള ആദർശത്തെ മുൻനിർത്തി കരം കുഴിയുന്നതും കുറയ്ക്കുവാൻ വേണ്ടത്.

MR. M. SIVATANU PILLAI : "May levy" ; എന്നു പറഞ്ഞിട്ടുള്ള അതുകൊണ്ടു അതു നിർബന്ധമല്ലെന്നു മെമ്പർക്കറിയാമോ?

SAHIB BAHADUR P. S. MUHAMED : : നിർബന്ധമല്ലെങ്കിൽ ഇന്നുവരെയില്ലാത്ത ഒരുധികാരം കൂടുതലായി കൊടുക്കേണ്ട ആവശ്യമില്ല എന്നാണു ഞാൻ പറയുന്നത്.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN : കരങ്ങര പലതും നിറുത്തണമെന്നുള്ള വ്യവസ്ഥകൾ പിൻവരുന്നതെന്തായിരുന്നോ ?

SAHIB BAHADUR P. S. MUHAMED : കരം കുറയ്ക്കുകയോ സാധിക്കുമോ എന്നുള്ള സംഗതി സംശയിക്കേണ്ടിയിരിക്കുന്നു. മേലാൽ കുറയ്ക്കാമെന്നുള്ള വിചാരത്തിൽ കരം കൂട്ടിവയ്ക്കുന്ന നയം ഒരിക്കലും ശരിയല്ല. അതുകൊണ്ടു ആവശ്യമില്ലാത്ത കരം ചുമത്തരുത്.

MR. T. C. KESAVA PILLAI : സർ, ഞാൻ ഈ ഭേദഗതിയെ എതിർക്കുന്നു. ടൗൺ അതിർത്തിക്കു വെളിയിലുള്ള വസ്തുക്കൾക്കു ചേർത്ത ചിലപ്പാൾ ഓൺസ്ഫർ നടത്തിയേക്കാം. അതിനുകൂടി കരം ഈടാക്കണമെന്നു പറയുന്ന നയം ശരിയായിരിക്കുകയില്ല. അതുകൊണ്ടു ഞാൻ ഈ ഭേദഗതിയെ എതിർക്കുന്നു.

MR. S. NATARAJA PILLAI : Mr. Kesava Pillai's difficulty does not arise. If such transfers as are suggested by Mr. Kesava Pillai are going on, it is against the provisions of law and courts will not recognise such transactions. This will be a wholesome provision against that.

As regards the objection raised by Mr. Muhamed I would say that though the general taxation is heavy, a tax on transfer of property would form only a very light tax. Only half a per cent is proposed. Of course Government may reduce it further. If that is done I do not think that it will be as much conveyance as conveyance charges met by parties. We should not grudge paying Rs. 2 or 3 to the Municipality, when we effect a transfer of property.

SAHIB BAHADUR P. S. MUHAMED : ഒരു പ്രാപ്പർട്ടി ഓൺസ്ഫർ ചെയ്യുമ്പോൾ ഗവണ്മെന്റിനു സ്കാംപ് ഡ്യൂട്ടി കൊടുത്തുകൊണ്ടിരിക്കുകയല്ലേ?

MR. S. NATARAJA PILLAI : Government has to be paid its dues. But over and above that a small percentage is to be fixed for payment to the Municipality.

PRESIDENT : Before the motion is put to vote I mean to say a few words because I have some experience of this kind of taxation. What we, the Government, are anxious to promote is a feeling in Municipalities that it is their duty as it is their right to extend the amenities of civic life by getting rid of congestion and slum areas. This they can do only if they extend cities like Trivandrum, Quilon and Alleppey by planning new centres adequate for the residence of the people and for industrial purposes. In order to do that they will have to spend some money. I have known from my own experience that in most centres of population in India, and not less so in Trivandrum, there is a considerable demand for house properties and there is a tendency to speculate in house property and to make profit by transfers. I have in my mind property in Madras purchased on the 15th of June of a particular year for Rs. 10,000 and before December of that year it changed

hands for many times that amount. But that was a kind of boom period, a period of speculation. But where, for instance, a Municipality is called upon to develop new localities it is but right that it should get some of the advantages of those changes of value which it is instrumental in producing by improving the locality by introducing a drainage system a lighting system, by the laying of parks and other amenities. If the Municipality is expected and I think should be expected to make itself known then it should bring into existence libraries, parks, picture galleries and other places of healthy activity. We cannot get these amenities embarked upon by a Municipality unless it is interested in developing localities and that interest is most stimulated by the element of profit which is so frequent and so inevitable on the human efforts. On the whole rather than the Municipalities coming to the Government and constantly asking for grants it would be a better way for the Municipalities to realise their own responsibilities being also responsible to the tax-payers for the adequate and proper discharge of their responsibilities. I may therefore suggest to the House that of all forms of taxation a tax on transfer of properties would be the least onerous and, in the long run, perhaps the most advantageous form of Municipal taxation.

The amendment was put to vote and carried.

PRESIDENT : The House will now adjourn and meet again at 2 P. M.

The House adjourned at 1.5 P. M. and reassembled at 2. P. M. with the Dewan-President in the Chair.

DEMANDS FOR SUPPLEMENTARY GRANTS—(contd.)

IX. MEDICAL.

VAIDYASASTRAKUSALA DR. (MRS.) M. POONEN LUKOSE : Sir, I move for a supplementary grant not exceeding Rs. 1,600 for special repairs to the Ophthalmic Hospital buildings at Trivandrum.

The repairs to the Ophthalmic Hospital had to be carried out urgently because of the very unsatisfactory condition of the walls and floors of the main building. The building was constructed over 50 years ago.

PRESIDENT : How many years ago ?

VAIDYASASTRAKUSALA DR. (MRS.) M. POONEN LUKOSE : Over 50 years ago, Sir. The plastering had crumbled down and there were crevices and cracks in the walls and floors which became a breeding place for vermin and germs. In Vrischigom last, the wards had to be closed due to an outbreak of chickenpox among the in-patients. The urgent repairs were carried out when the wards were closed for about 3 weeks. The building is now in good condition, though the accommodation is insufficient. I request the house to pass this supplementary grant.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : May I know whether these defects were detected only very recently ?

VAIDYASASTRAKUSALA DR. (MRS.) M. POONEN LUKOSE : They were noticed some years ago, patching work alone was done from time to time. The whole plastering of the walls could not be removed and renewed until the patients were removed from the wards.

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DEMAND No. XIX—AYURVEDA.

MR. G. NARAYANAN TAMPI (*Secretary to Government*): Sir, I beg to move for a grant of Rs. 2,000 under Demand XIX, Ayurveda. This amount is required for the purpose of purchasing medicines for the Government Ayurvedic Hospital at Trivandrum. The budget grant for the year under this head, is Rs. 7,000. It has been found not possible to meet the entire demand with this amount. The main reason for the increased demand is the increase in the number of in-patients and out-patients in the Hospital. Statistics show that the average daily attendance in the Hospital in 1114 was 22.96, whereas during the current year, it is 28.43. The total number of inpatients treated up to the end of Edavam 1114 was 318 while, for the corresponding period in the current year is 352. Out-patients for the same period in 1113 i. e. up to the end of Edavam numbered 72,443; and for the corresponding period of the current year, the number has come up to 75,985. Further, there has been quite recently, the addition of a new section to the Hospital viz., the *Panchakarma* Section, where oil massage and other kinds of oil treatment are being carried on.

MR. P. SIVARAMA PILLAI (*Minachil cum Todupuzha*): Will the honourable member kindly give further information about this?

MR. G. NARAYANAN TAMPI: Yes, Sir, I am proceeding to do so. Both for conducting the treatment, and for affording training to pupils in the *pizhichil*, *oozhichil*, *kizhi* and other modes of oil treatment, a trained Ayurvedic physician has been appointed and a new ward opened for the purpose; and in so short a period as about a month, 38 successful cases have been treated. It is in these circumstances that an additional allotment has been necessitated. I hope the House would have no objection to vote this supplementary grant.

MR. M. SIVATHANU PILLAI: May I know whether these processes of *pizhichil* etc., take place in the Hospital itself?

MR. G. NARAYANAN TAMPI: Yes, Sir.

MR. KOTTALIL P. ABRAHAM: May I know from where the medicines are purchased?

MR. G. NARAYANAN TAMPI: From the Government Ayurveda Pharmacy.

The question whether a sum of Rs. 2,000 under supplementary Demand XIX, Ayurveda was put to vote and carried.

The grant was made.

LEGISLATIVE BUSINESS—(contd.)

THE TRIVANDRUM CITY MUNICIPAL BILL—(contd.)

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, clause 93 has been moved and it was being discussed.

PRESIDENT: Any other honourable member wishing to take part in the discussion?

Members indicated "No"

The following motion was put and carried.

[President.]

In clause 93,—

- (i) between the words "with the previous sanction of" and the words "Our Government," the following shall be inserted namely:—"and subject to such rules as may be framed by";—
- (ii) the word "and" at the end of clause (g) shall be deleted;
- (iii) after clause (h) the word "and" shall be added; and
- (iv) the following shall be added as clause (i), namely:—
 "(i) a duty in the form of a surcharge in the duty imposed by the Travancore Stamp Act on transfers by way of sale, gift or mortgage with possession of immovable property within the limits of the city."

Clause 93 as amended was added to the Bill.

Clause 94.

The question that Clause 94 form part of the Bill was put and carried.

The Clause 94 was added to the Bill.

Clause 95.

MR. S. NATARAJA PILLAI: Sir, I move that in Clause 95 (2) line 9 delete "for general sanitary tax one per cent. of the annual value."

Section 95 deals with the levy of taxes. The taxes enumerated are (a) water tax, drainage tax, tax for the purpose of advertisements, tax for water and drainage scheme (b) a lighting tax for the purpose of defraying the expenses connected with the lighting of the City; (c) a tax on buildings and lands; and (d) a general sanitary tax. Under the present Municipal Act we levy a property tax and also a water tax. There is no taxation for lighting the City. The expenses connected with the lighting are borne by the Municipality itself to a certain extent and also by a contribution till recently of about Rs. 12,000 granted by Government. I do not think there will be any necessity hereafter for us to ask Government for additional grants unless it be for works specially done at the request of Government or other than falling under ordinary municipal duties. Now, a lighting tax and a general sanitary tax have been introduced. I do not think there is any necessity at this juncture, especially, on the eve of the war and its consequence, for the levy of a general sanitary tax from the people of the City. We have passed various kinds of taxes, a property tax, tax on companies, professional tax, tax on various animals, tax on carts, vehicles, advertisements and entertainments. We have passed a duty on Transfers of property. Several new taxations have been added. In these circumstances, I wish to add that the one per cent. taxation by way of general sanitary tax is absolutely unnecessary. It will fall as a heavy burden on the people, because Section 95 says

that the tax "shall" be imposed, and the Municipality has no alternative but to levy a tax of this nature. We are now paying $5\frac{1}{2}$ per cent. whereas under this Act we have to pay forthwith 10 per cent. A jump from $5\frac{1}{2}$ to 10 is very hard, especially at this juncture.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I oppose the amendment. This Clause has undergone considerable criticism and in the form in which it now appears it has been adopted by the Joint Committee. It is now urged that a general sanitary tax of one per cent. on the annual value of buildings and lands should be omitted; that is, the property tax should be reduced by one per cent. It is said that 10 per cent. taxation would be unbearable or burdensome and that it should be omitted. It is regrettable that the honourable member should have chosen this particular item and advocated its omission. If there is any tax which could lawfully be imposed by the City of Trivandrum it is this. There is yet much to be done in the city for the purpose of improving its sanitary conditions.

Then the honourable member said that we are, after all, paying only 5 per cent. and this section provides for ten per cent. No doubt, it is true. All the other items of expenditure are being mostly maintained or made by contributions from Government. It is said that over Rs. 12,000 is being spent for the purpose of lighting the town. The sanitary arrangements are now made by Government and the expenditure met for the purpose from the general revenue is enormous. Several hospitals are being run by the Government without claiming anything from the Municipality. The services of the Sanitary Commissioner and the other Sanitary officers are always available to the Municipality. How much does the Municipality contribute for the purpose? The one per cent. sanitary tax should not be grudged. If the percentage for taxation prevailing in other corporations is considered, honourable members will kindly note that the provision contained in this Bill is very modest. It is, in fact, only less than half the amount that is being levied as property taxes in other places.

PRESIDENT: Does the honourable member know how much in one form or other the Government pays to the Trivandrum Municipality?

MR. PUTHUPALLI S. KRISHNA PILLAI: In addition to the various grants made in the shape of money, Government contribute for various other amenities.

PRESIDENT: I want to know the amount.

MR. PUTHUPALLI S. KRISHNA PILLAI: All that I can say is that all members of this House know that the Trivandrum Municipality gets, as a matter of fact, the bulk of the contributions that Government make not only in the shape of money but in various other forms and amenities at the expense of the general tax payer.

I am strongly of the view, Sir, that this provision cannot be deleted. I oppose the amendment.

MR. G. NARAYANAM TAMPI: Sir, in opposing this amendment, I beg to place before the House certain aspects of the question which I may be permitted to advert to from my experience for some time as the President of the Trivandrum Municipal Council. The main point at issue is whether a small addition to the percentage of taxation for the purpose of ensuring a higher standard of sanitation would be admissible or not. This would necessarily lead us to the question as to what Government have done, or are doing, or propose to do, in the matter of providing funds for the expenditure, capital and recurring, in promoting the civic amenities at various centres in the State. As stated by the learned Legal Remembrancer, the large number of hospitals, schools, libraries and other such institutions involving heavy outlay, and maintenance charges from year to year have been provided at urban centres out of the general revenues of the State. The Trivandrum Municipality, more than any other municipality, has had the maximum advantage in this direction.

Take, for instance, the Willingdon Water Supply. Supply of protected water is obviously one of the most fundamental obligations of any responsible civic body, especially in a place like Trivandrum where the entire area is extremely congested. It is no exaggeration to say that a well ordered water supply scheme, such as our Willingdon Supply, is the one panacea for all ills incidental to filarial and malarial humanity. This supply in Trivandrum has been made possible at a cost of about one crore of rupees. Where did that money come from? Certainly not from the Trivandrum Municipality. Nor was there any possibility for the municipality to raise even an appreciable fraction of that huge amount. Trivandrum is not a place where the majority of the population has the wherewithal to lead anything more than a mere hand to mouth existence. Barring the officers and a handful of successful practitioners at the Bar and may be a few businessmen, there is hardly anybody in Trivandrum who can pay for any expensive municipal commitment. Hence Government have found the large capital outlay for ensuring the supply, from out of the general revenues. In this, as in other kindred matters, Government have come to the rescue of the Municipality; and the general ratepayer all over the State has had to contribute towards the civic amenities of Trivandrum.

There are again the roads in the town—the broad main roads with the beautiful side walks, and the many miles of minor roads, which can compare favourably with the roads in any of the best towns in India. Look at the enormous expenditure in making and maintaining these roads. Where is the money from? Again, from the general ratepayer. In the midst of the cry from other parts of the State for yet more roads and more hospitals and more schools, Trivandrum is having such large slices out of the Government's resources. No doubt, Trivandrum is the capital. Nevertheless, Trivandrum is but a part of Travancore. How then can the people of this town grudge a small percentage by way of additional tax for enabling the Municipality to discharge one of its most fundamental obligations, namely, the maintenance of a proper standard of sanitation?

MR. M. SIVATHANU PILLAI: May I know whether the tax for a particular purpose would be ear-marked for that purpose?

MR. G. NARAYANAN TAMPI: No, Sir. It is not usually the policy of tax-raising bodies to ear-mark the receipts under a particular item for a particular purpose, unless specifically so provided.

MR. M. SIVATHANU PILLAI: May I know what the honourable member thinks with regard to the sanitary revenues being spent for sanitary purposes?

MR. G. NARAYANAN TAMPI: Sir I am surprised that the honourable member who is an experienced Municipal President and corporator should have asked me this question. I may ask my honourable friend whether the house tax that is realised by the Municipalities is utilised merely for paying salaries to the agency that carries on the collection work. No item of tax is ordinarily to be utilised for a particular item of expenditure alone.

The honourable member, Mr. Nataraja Pillai, the mover of the amendment, said that the Municipality is making a contribution to Government towards lighting charges. No doubt, certain amounts have been surrendered to Government for extending the electric lighting in the streets. But then he forgets that the whole amount surrendered in this connection from time to time was, in the first instance, a contribution from Government to the Municipality. The roads were made by Government. They provided the street lights as well. The annual Budget grant to the Public Works Department for maintaining these lights was made over to the Municipality in the shape of an annual contribution, at the request of the Council. It is this grant which has now come back to Government as a result of providing an expensive electric supply to the town, at Government cost, and providing a large number of street lights in addition.

We have about 90 to 100 miles of minor roads and about 20 miles of major roads in Trivandrum, not to speak of the new Drainage roads. The major roads have been made, and are maintained, exclusively by Government at Government cost. The minor roads were also made by Government. Some years ago it was deemed necessary that the municipalities should also share the responsibility for the maintenance of these roads. The Trivandrum Municipality protested, on account of dearth of funds and paucity of resources. Still, a small annual contribution of Rs. 5,000 is being made from the annual 'Toll receipts'. This amount is evidently but a small fraction of the total expenditure on the upkeep of these roads. Hence the Municipality has to adopt measures to become more and more self-supporting; and there is no gainsaying the fact that new taxation, besides enhancement of existing rates, is the most obvious means of raising municipal funds. It is, therefore, a matter for surprise, as well as regret, that there should be any opposition to the proposed sanitation tax.

It may be of interest in this connection to trace the origin and development of our Municipalities. The Taluk authorities were attending to the conservancy work both in urban and in rural areas.

[Mr. G. Narayanan Tampi.]

Later on, we had the Town Improvement Committees in the Division headquarters. In Trivandrum, however, a distinctive organization came into existence; and that is the present Municipality, the City Corporation that is to be. All the civic amenities of this important town were provided by Government, originally, because Trivandrum is the capital of the State. The city has considerably enlarged itself in recent years; and the civic requirements of the large and growing population cannot any longer be saddled on Government, for obvious reasons. They have launched on numerous schemes for the welfare of the whole State, for which, enormous capital would be required. There is also the prevailing economic depression which has greatly affected Government's resources. I would, therefore, exhort the Municipal authorities not to be too sentimental in exploring their own resources in future. I hope there would be no objection to the proposed taxation which is intended to enable the Municipality to enhance the standard of sanitation in this important town.

MR. S. NATARAJA PILLAI: Very strong arguments have been levelled against my amendment. It was stated that the Municipality is getting grants from Government, that the roads in the municipal area have been made and maintained by Government, that the hospitals were maintained by Government and that the lights were put up and maintained by Government. I take this opportunity of thanking Government for all these things on behalf of the Municipal Council and on behalf of the people who were living here, before the Municipal Council came into existence.

But I may say that in the recent past and in the present, the Trivandrum Municipal Council has taken upon itself the responsibility of paying as much as possible; and now as much as is demanded by Government by way of contribution for every good work done by Government. When Government asked us for contribution for putting up lights we gave money, and we have now put up 200 lights within the last one month and we are paying Government for these at the rates fixed by them. As regards maintaining hospitals and roads, Governments every where are spending for these. As regards the main roads in the British Indian Provinces, the Government of India gives a grant for keeping and maintaining these; because it is in the interests of the whole population of India. Similarly, the main roads in Trivandrum are not only used by the people of Trivandrum. Buses plying from one part of the State to another go along these roads and such amenities have to be given by Government. Whenever necessary, for the maintenance of minor roads we are paying contributions. It may not be necessary for us hereafter to ask Government for any more contribution, unless it be for special services. It is in that hope, therefore, that I move this amendment. Though the increase in taxation is only one per cent. it is a big burden. Already we are paying 5½ per cent. tax. The people are hard pressed. The price of paddy is going up. The rent for buildings is going down and houses are vacant; and even where the houses are rented out proper rents are not being received by house owners. Every day, household utensils

are being attached and brought to the Municipal office for default in the payment of tax and if honourable members would only visit the Municipal office they could see for themselves the number of vessels lying there. In these circumstances, to impose 10 per cent. tax when at present there is only $5\frac{1}{2}$ per cent. is too much. If it were not so, this amendment would not be necessary. Then there is another clause, which says that taxation may go up to 15 per cent. That clause is not sought to be amended by me. But here, when it is said that taxation shall be 10 per cent. my submission to the House is that it is too much. The Municipality has no other alternative but to impose 10 per cent. taxation. But this is too much. It is therefore that I move that this sanitary tax which does not find a place in the City Municipal Act and the District Municipalities Act in Madras must not be introduced here. I admit that in the City Municipal Act there is provision for the imposition of a general tax, and a pilgrim tax. Here, when we are given the power to tax up to 15 per cent. if necessity arises, and Government could compel us to raise the tax up to 15 per cent. I do not think that there is any necessity for compelling the Municipal Council to levy a tax of 1 per cent. on the poor householder who is already hard pressed.

The amendment was put to vote and carried.

MR. PUTHUPALLI S. KRISHNA PILLAI. Sir, I demand a poll.

A poll was taken with the following result:—

YES.—38.

1 Mr. Kottalil P. Abraham	20 Mr. K. Kunju Panickar
2 „ P. C. Adichan	21 „ Varkala K. Madhavan
3 „ S. Chattanatha Karayalar	22 „ P.V Mathai Chemparathy
4 „ M. L. D'Cruz	23 Sahib Bahadur P. S.
5 „ Srimati K. Devaki Anthar- janam	Muhamed
6 Mr. D. Francis	24 Mr. N. Narayana Kurup
7 „ K. G. Govindan	25 „ K. Narayanaperumal
8 „ S. Govinda Pillai	Nadar
9 „ M. L. Janardana Pillai	26 „ S. Narayana Pillai
10 „ Kannanthodath Janar- danan Nair	27 „ P. Narayana Pillai
11 „ N. John Joseph	28 „ M. R. Narayana Pillai
12 „ Menatheri N. Kesava Panickar	29 „ K. R. Narayanan
13 „ M. G. Kesava Pillai	30 Srimati T. Narayani Amma
14 „ T. C. Kesava Pillai	31 Mr. S. Nataraja Pillai
15 „ T. T. Kesavan Sastri	32 „ Kainikara M. Padmanabha Pillai
16 „ K. P. Kochukora Thara- kan	33 „ N. Ramakrishna Pillai
17 „ Kaviyoor K. K. Kochu- kunju	34 „ Codiveetil C. Ramankunju
18 „ N. R. Krishnan	35 „ M. Ramiah Pillai
19 „ P. Kunjukrishnan	36 „ M. Sivathanu Pillai
	37 „ Puliyoor T. P. Velayudhan Pillai
	38 „ G. Velu Pillai

[Mr. Puthupalli S. Krishna Pillai.]

NOES.—16.

1	Sahib Bahadur V. Chanda-	9	Mr. K. G. Kunjukrishna Pilla
	miah	10	„ C. Kumara Das
2	Mr. K. Dominic Joseph	11	„ G. Narayanan Tampi
3	„ M. S. Doraswami Aiyangar	12	„ M. K. Nilakanta Aiyar
4	„ M. K. Gopala Pillai	13	Vaidyasastrakusala Dr. (Mrs.)
5	„ C. P. Gopala Panickar		M. Poonen Lukose
6	„ Joseph Vithayathil	14	Mr. M. Ramachandra Rao
7	„ K. C. Karunakaran	15	„ P. Sivarama Pillai
8	„ Puthupalli S. Krishna	16	„ S. Sundararajan
	Pillai		

NEUTRALS.—4.

1	Mr. E. E. Pandarathil	3	Mr. R. Narayanan Nambootiri
2	„ S. Krishna Aiyar	4	„ J. W. Tolson

The sub-clause was deleted.

MR. S. NATARAJA PILLAI: Sir, I move the following amendment:—

“In clause 95 (2) line 8 for ‘three per cent.’ occurring after ‘for building and land tax’, substitute two and a half per cent.”.

We are now paying $2\frac{1}{2}$ per cent. of the annual value as house tax. There is another proviso to the section which says that up to 15 per cent. taxation shall be levied if necessary. In the light of this, payment of $2\frac{1}{2}$ per cent. as house tax is enough. Hence I move the amendment.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: Sir, I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir in regard to all items of taxation, the tax collected in most cases has been for a particular purpose. For instance, a water and drainage tax collected is for the purpose of defraying the expenses connected with the water and drainage system. Similarly is the case with lighting tax and that tax has to be spent for that purpose alone. If any amount is not necessary for that purpose, the surplus has to accumulate. In other words, if one per cent. is sufficient, then that alone need be collected. The Municipality is not entitled to raise the collection by even half per cent. That is the position.

Building and land tax is the only tax available for other general purposes. The present minimum is $2\frac{1}{2}$ per cent. The Bill provides for a 3% minimising. The increase is only $\frac{1}{2}$ %. The minimum which the municipality is now compelled to levy is admittedly insufficient for defraying the expenses connected with it. It was only at the instance of the municipality that some increase had to be suggested. Therefore

the minimum has been raised by half per cent. No doubt there is a maximum fixed for the purpose of taxation. Although in the original bill there was no proposal to fix any maximum, in a growing city like Trivandrum, it may not be justifiable to fix no maximum at all. The maximum has now been fixed by the joint committee. My point is that, there is no justification whatever for lowering the minimum fixed in this bill. In a matter like this, if the municipality is competent to levy at a rate not below $2\frac{1}{2}$ per cent. and not exceeding 5 per cent., the municipality no doubt would levy only $2\frac{1}{2}$ per cent. But we say that the municipality shall levy by half a per cent. more. There is a margin of 5 per cent. left to be collected. From what we get, distribution has to take place for various other items. It is now conceded that $2\frac{1}{2}$ per cent. levied on building is insufficient for the purpose for which the tax is levied. It is on account of shortage in revenue collection that the municipality has to depend on Government's help. They plead inability to contribute for various purposes for which the municipality ought to be prepared to. Therefore, we should not be so very niggardly in all these matters. There is a city, there is to be a mayor, and there is to be a corporation. If the members of the House are agreed to have a corporation with all the dignities and responsibilities attached there to, this House should not be unwilling to vote for a slightly enhanced contribution to the extent of half a per cent. You must pay for what you enjoy. It is conceded on all hands that $2\frac{1}{2}$ per cent. collection now made is insufficient. It has also to be noted that the Trivandrum Municipality has been awaiting this Act for the revision of its house tax. As a matter of fact, every municipality is bound to revise the house tax every 5 years.

MR. M. SIVATHANU PILLAI: May I know how many years since the Trivandrum Municipality has cared to revise house tax?

MR. PUTHUPALLI S. KRISHNA PILLAI: Expecting that this bill would come into law, house tax has not been revised at all.

MR. M. SIVATHANU PILLAI: Am I then to take it that no revision need be effected at all in respect of tax on buildings?

MR. PUTHUPALLI S. KRISHNA PILLAI: In Trivandrum it is a long time since the revision took place. We must take into consideration the present position, the present tendencies and the present requirements of the municipality in the first instance. It is on a consideration of all those factors that the bill has provided a minimum of 3 per cent. Under these circumstances, I, very strongly oppose the amendment. Already one per cent. sanitary tax is lost. If the corporation is to function as such, we should not give up this half per cent.

MR. M. SIVATHANU PILLAI: May I know in which year the Trivandrum Municipality last revised its house tax at all?

MR. PUTHUPALLI S. KRISHNA PILLAI: The time for revision has elapsed. Even though the Government had been trying to insist on a general revision the municipality has not adopted the onerous responsibility of making any revision on the ground that this bill will come into law.

MR. M. SIVATHANU PILLAI : Sir, I must oppose the amendment. I am surprised to learn from the Legal Remembrancer, when he vehemently asserted, that the Trivandrum Municipality had not thought it fit to revise the house assessment as enjoined by the general rules on the subject. It is all the more surprising when such a course of revision was not adopted in spite of the repeated requests by Government. When such is the position of the Trivandrum Municipality, I would certainly not endorse their action. My position is that, fortunately or unfortunately, I have been the President of a Municipality which is supposed to be the second town in this State, namely Nagercoil. More than 5 months back, the Municipality revised the house tax. Exactly five years before that, again, the house tax was revised. So much so, revision followed as per the rules regulated for the purpose. The rental value goes on increasing on every occasion when the revision of assessment is made.

MR. KOTTALIL P. ABRAHAM : May I know that rental value?

MR. M. SIVATHANU PILLAI : I will come to that. It would be surprising to know that the Nagercoil Municipality, to start with, assessed at a rate of $3\frac{1}{2}$ per cent. because they realised that the money collected from the people should be remitted back to them in the form of increased amenities to the town. Hence it was that, from the very start of the Municipality, $3\frac{1}{2}$ per cent. assessment rate was collected.

In this connection, I do not accept the arguments put forward by Mr. G. Narayanan Tampi or of the Legal Remembrancer when they said that hospitals have been put up, water and lighting arrangements have been excellently made and that lighting tax was still reduced for a forty watt bulb burning 6 hours a day. That reduction also was made by Government for electricity consumption. Yet to say that taxation is burdensome in Trivandrum is not justifiable. Look at the case of Nagercoil Municipality. The Government do not provide for as many amenities in Nagercoil as in Trivandrum. There the private licensee for supply of electric energy for street lighting was demanding 25 Rs. rate for the same bulbs in Trivandrum which costs only 19 Rs; and very recently the Government officers were found to be very keen in securing for that licensee a rate of 27½ Rs. for the same bulb for the same period.

PRESIDENT : The member is not in order in referring to it.

MR. M. SIVATHANU PILLAI : That is only an aside, Sir. My point, therefore is, when the mofussil municipal towns are exercising their function as per the rules, the Government do not pay more contribution to them. But in regard to Trivandrum, a different treatment is meted out. There are certain kinds of taxes to be imposed on the people. In some cases the levy of that may have to be increased as and when the occasion demands. There is no meaning in contending that house tax assessment rate should be so low as $2\frac{1}{2}$ per cent. The corporation has got to find money from its citizens and spend it on them.

That is my main argument. Secondly according to the mover, this $2\frac{1}{2}$ per cent. rate is only a temporary arrangement. It seems that in the city of Trivandrum they hope to increase the house tax by 1 per cent. more. What I wish to say by way of summing up is that if the house tax is to be increased it should be increased not by 1 per cent. but by 2 per cent. I believe it is 20 years since the Municipal Act came into force. I do not know why the minimum of tax should not be assessed at the rate of 3 per cent. at least. If there was an amendment that it should be raised by 4 per cent., I would have accepted it.

MR. PUTHUPALLI S. KRISHNA PILLAI: One word by way of explanation. There seems to be some misunderstanding. The upper limit is not considerably increased. Under the existing Municipal Act a maximum of 5 per cent. by way of house tax and 10 per cent. by way of water tax and drainage tax *i. e.* a total of 15 per cent. can be levied. The maximum under the proposed Bill is also 15 per cent. The various items of tax are limited to 15 per cent. The joint Committee were careful to see that the maximum is not in any way raised. If the Municipality wants to impose 15 per cent. tax it can do so.

MR. S. NATARAJA PILLAI: I do not press the amendment.

The amendment by leave was withdrawn.

MR. S. NATARAJA PILLAI: Sir, I move that:—"In Clause 95, Sub-Clause 2, add the following as another proviso provided further that lands used for agricultural purposes shall not be taxed". In the present Municipal Act there is a proviso which says that no place which is used other than as a garden or appurtenant to a house shall be taxed. If the place is used for agricultural purposes, it shall not be taxed. My amendment seeks to exempt lands within the Municipal area, used for agricultural purposes. Though Trivandrum is called a city, it is only a rural town. Large portions of Manakad, Chalai, Kaithamukku and other places, comprise garden lands both wet and dry. It is hard to levy tax on these sites also when they pay a tax to the Revenue Department. Though these places are within the Municipal area and are under the Municipal administration, they do not get any special amenities or special advantages from the Municipality. Gradually as these wet lands and gardens are turned into house sites, it will be time to tax them. This amendment exempts only agricultural lands. It is a necessary and highly desirable exemption and I commend it to the acceptance of the House.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: In seconding this amendment I wish to make a few observations. In the Trivandrum Municipality, I have the privilege to represent one of the wards in Petta which covers 2 square miles of which about 1 square mile is paddy field. There are large tracts of paddy fields around the houses which are cultivated. If these paddy fields are to be taxed, then it is a great hardship. In that ward there are bunds which are exclusively used for cocoanut cultivation. There are small huts occupied by poor people and the land owners do not fetch anything in the form of income. If these lands are exclusively used for agricultural purposes, then they should not be levied to any tax by the Municipality.

MR. PUTHUPALLI S. KRISHNA PILLAI: Under the existing Act there is this exemption. It is not the intention to levy any property tax in the case of lands used solely for agricultural purposes. Provided the words "solely" is added, I have no objection to accept the amendment. The amendment would then read thus:—"provided further that lands used solely for agricultural purposes shall not be taxed".

MR. S. NATARAJA PILLAI: I accept the amendment if it is meant thereby that if there is a house attached to a garden the whole garden would not be subject to a land tax by the Municipality.

PRESIDENT: It would not.

The amendment was put to vote and carried.

The question that clause 95 as amended, do form part of the Bill was put to vote and carried.

The clause was added to the bill.

Clause 96.

MR. S. NATARAJA PILLAI: I beg to move "In Clause 96, Sub-clause (2) delete the words "ten per centum" and substitute instead "sixteen and a half per centum.". The Clause as amended will read thus. "The annual value of lands and buildings shall be deemed to be the gross annual rent at which they may (at the time of assessment) reasonably be expected to let from month to month or from year to year, less a deduction of sixteen and a half per centum of such annual rent and the said deduction shall be in lieu of all allowance for repairs or on any other account whatever." In the levy of house tax, the Department is directed to deduct two months' rent towards repairs. That is the provision in the present Act. But here, only 10 per cent. is allowed towards repairs. That is too small a percentage. The existing reduction should be maintained. That will work up to 16½ per cent.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI: I oppose it.

The Bill proposes only 10 per cent. reduction. Various deductions are made on different basis. Under the Income Tax deductions are made. Under the existing Municipal Act deductions are made on certain percentages. Here it is proposed that only 10 per cent. reduction will be allowed. It can not be denied that this is reasonable. So I oppose the amendment.

The amendment was put to vote and lost.

The motion that Clause 96 stand part of the Bill was put and carried.

The Clause was added on to the Bill.

Clauses 97 to 138.

Motion that clauses 97 to 138 stand part of the Bill was put and carried.

Clauses 97 to 138 were added on to the Bill.

Clauses 139 to 191.

Motion that clauses 139 to 191 stand part of the Bill was put and carried.

Clauses 139 to 191 were added on to the Bill.

Clauses 192 to 203.

Motion that Clauses 192 to 203 stand part of the Bill was put and carried.

Clauses 192 to 203 were added on to the Bill.

Clause 204.

MR. S. NATARAJA PILLAI: Sir, I wish to make a slight change to the amendment of which I have already given notice. The following is the original amendment:

Add the following Sub-clauses as (6) and (7) in Clause 204 :

“(6) It shall not be lawful for any person to throw, put or cause to be thrown or put into any public or private street or, in any drain, tank, reservoir, conduit, fountain, well or other place set apart by or vested in the Corporation, any animal or thing whereby the street, drain, tank, reservoir, conduit, fountain, well or other place may be fouled or contaminated.

Sir, I do not move the first part, but beg permission to move the second in a slightly altered form. The motion is as follows:— In clause 204 the following shall be added on sub-clause (6) namely :

(7) No person shall commit nuisance by easing himself in any street, public place or thoroughfare or permit any person under his control to commit a nuisance as above said.”

There is no provision in this Act for discouraging or punishing nuisances committed. Perhaps the Madras Police Act also does not contain any corresponding provision.

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: I second the motion.

The motion was put to vote and carried.

The motion that clause 204 as amended stand part of the bill was put and carried.

The clause was added to the bill.

Clauses 205 to 281.

The motion that Clauses 205 to 281 stand part of the Bill was put and carried.

Clauses 205 to 281 were added on to the Bill.

Clause 282.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I beg to move the following amendment:

Clause 282 shall be re-numbered as sub-clause (1) of that Clause, and the following shall be added as sub-clause (2) namely:—

“(2) Our Government may, by notification in Our Government Gazette, exempt any person or institution from the provisions of this Chapter relating to the taking out of licenses or payment of fees therefor.”

[Mr. Puthupalli S. Krishna Pillai.]

Sir, at present there is no similar provision either in the existing Act or in the Bill. On account of the absence of this provision several deserving cases have gone without relief. In such cases the provision of law had to be got over by making contribution by the Municipal Chairman or by any public spirited man for the purpose for enabling them to make payment of licence fee. The absence of such a provision in the Madras Act is now sought to be remedied. In Cochin also a Bill for the purpose has been introduced. This power will of course be exercised only in deserving cases.

MR. M. SIVATHANU PILLAI: Is there any instance to show that an institution has suffered on account of the absence of a provision like this.

MR. PUTHUPALLI S. KRISHNA PILLAI: At present there is no power to exempt any person from taking out a licence. It is now proposed that there should be a general power for exempting any person from taking out a licence.

The amendment was put and carried.

The motion that clause 282 as amended stand part of the Bill was put and carried.

Clause 282 was added on to the Bill.

Clause 283.

The motion that clause 283 stand part of the bill was put and carried.

The clause was added to the Bill.

Clause 284.

MR. S. NATARAJA PILLAI: Sir, I beg to move the following amendment:

In Clause 284 Sub-clause (a) after "keep pigs" add " or buffaloes."

Sir, this amendment is necessary because in Trivandrum buffaloes have become a nuisance and they are also the source of mosquito breeding in the Town. The inclusion of buffaloes was omitted here perhaps because in the Madras Act it was not included. I shall point out one instance of the undesirability of keeping buffaloes in the town. The Director of Public Health himself very well knows that there is a locality opposite Women and Children's Hospital, Taikad where buffaloes are kept in large numbers.

PRESIDENT: Presumably for supplying milk to the Hospital.

MR. S. NATARAJA PILLAI: The whole place is insanitary. The owners would not take licences. Repeated requests were made to them by the Municipal Council. Prosecutions were also launched against them but they got only a few chuckrame fine as punishment. I think that that policy should be changed. Therefore buffaloes should also be included in this Section.

MR. M. SIVATHANU PILLAI : I second the motion.

The amendment was put to vote and carried.

The motion that Clause 284 as amended stand part of the Bill was put to vote and carried.

The Clause as amended was added on to the Bill.

Clauses 285 to 365.

Motion that Clauses 285 to 365 stand part of the Bill was put to vote and carried.

Clauses 285 to 365 were added on to the Bill.

Clause 366.

MR. S. NATARAJA PILLAI : Sir, I beg to move the following amendment :

In clause 366 the following shall be inserted as sub-clause (XXX) renumbering the existing sub-clauses (xxx) and (xxxi) as sub-clauses (xxxi) and (xxxii) "(xxx) for the regulation, inspection and control of places of public entertainment."

MR. M. SIVATHANU PILLAI : I second it.

The amendment was put to vote and carried.

The motion that clause 366 as amended stand part of the Bill was put and carried.

Clause 366 as amended was added on to the Bill.

Clauses 367 to 403.

The motion that Clauses 367 to 403 stand part of the Bill was put and carried.

Clauses 367 to 403 were added on to the Bill.

Clause 404.

MR. S. NATARAJA PILLAI : Sir, I beg to move the following amendment to Clause 404 :—

"In Clause 404, instead of the words "nine per centum" substitute "six per centum."

Sir, my amendment seeks only to reduce the rate of interest to benefit the poor defaulters.

MR. M. SIVATHANU PILLAI : I second it.

MR. PUTHUPALLI S. KRISHNA PILLAI : I have no objection to accept the amendment.

The amendment was put to vote and carried.

Motion that Clause 404 as amended stand part of the Bill was put to the vote of the House and carried.

Clause 404 was added on to the Bill.

Clauses 405 to 438.

The motion that Clauses 405 to 438 stand part of the Bill was put to vote and carried.

Clauses 405 to 438 were added on to the Bill.

Schedule I.

The motion that Schedule I stand part of the Bill was put and carried.

Schedule I was added on to the Bill.

Schedule II.**PART II.**

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I have an amendment to propose to Part II, of Schedule II. The amendment is as follows:—

- (i) the sub-heading "Tax on persons holding appointments for exercising professions, arts, trades and callings" occurring in Rule 16 shall be deleted; and
- (ii) the following note shall be added at the end of Class xv", namely:—

"Note.— A person in receipt of a pension paid from any source shall be deemed to be a person holding an appointment for the purpose of assessment."

Sir, the object of this amendment is only to remove an ambiguity that has arisen. It is definitely stated that pensioners shall be liable to profession tax.

MR. M. K. GOPALA PILLAI: I second the motion.

The amendment was put to vote and carried.

The motion that schedule as amended stand part of the Bill was put and carried.

The Schedule as amended was added to the Bill.

Schedule II.**PART III.**

MR. S. NATARAJA PILLAI: Sir, I beg to move the following amendment:

In Schedule II, Part III, delete the word "male" occurring before the word "buffalo."

MR. MURUKKUMPUZHA V. KUNJUKRISHNAN: I second.

The amendment was put and carried.

The motion that schedule as amended stand part of the Bill was put and carried.

The schedule as amended was added to the Bill.

Schedule II.**PART VI.**

MR. S. NATARAJA PILLAI: Sir, I beg to move the following amendment:

In Schedule II Part VI, in Section 36, in the Schedule of Fee, against "25 rupees and under 50 rupees" delete "Re. one" and substitute "chs. fourteen"

Sir, this amendment seeks to help the poor man whose property is attached.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I leave the matter entirely to the decision of the House. But my own impression is that in such cases the amount now proposed by the Committee is

reasonable. More-over in all these matters Government have got the power to effect changes.

The amendment was put to vote and carried.

The motion that schedule as amended stand part of the Bill was put and carried.

The Schedule was added to the Bill.

Schedule III.

The motion that Schedule III form part of the Bill was put and carried.

The Schedule was added to the Bill.

Schedule IV.

MR. S. NATARAJA PILLAI: Sir, I shall move a slightly changed amendment:

"That in Schedule IV add after the words 'Aloe fibre and year etc.....by any process whatsoever,' another clause 'Arecanuts Soaking of cadjans and cocoanut husks.'"

PRESIDENT: I think the amendment of which the Legal Remembrancer has given notice is more comprehensive.

MR. S. NATARAJA PILLAI: Yes.

MR. PUTHUPALLI S. KRISHNA PILLAI: I gave amendments only on matters which are not comprised in this. Cocoanut comes, but not arecanuts. The second amendment proposed by me is only consequential. The form of this amendment will be "after the item 'ammunition,' the following shall be inserted "arecanuts-soaking of."

PRESIDENT: And then?

MR. PUTHUPALLI S. KRISHNA PILLAI: And then mine will come. That will be put separately.

PRESIDENT: Yes, I understand.

MR. S. NATARAJA PILLAI: I accept the suggestion.

Motion put and carried that in Schedule IV, after the item "ammunition" insert the following :—arecanuts-soaking of."

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I beg to move (1) "In Schedule IV, after the item "Cocoanut fibre," the following new item shall be inserted, namely :—

"Cocoanut husks and cadjan leaves-soaking of-" (2) In Schedule IV, for the abbreviations "do. do." occurring against the item "Cair Yarn," the following words shall be substituted, namely :—

"Storing, packing, pressing, cleansing, preparing or manufacturing by any process whatever."

(3) In Schedule IV, after the item "Confectionary" the following new item shall be inserted, namely :—

"Copra-preparing or storing or selling wholesale."

(4) In Schedule IV, in the proviso occurring after the item "Yarn."

(i) after the words "boiling paddy" the words "or for soaking arecanuts" shall be inserted : and

[Mr. Puthupalli S. Krishna Pillai.]

(ii) after the words "storage or boiling" the words "or soaking" shall be inserted."

Sir, one word alone by way of explanation. These items are not specifically included in the Schedule and the attempt is now made to cure an apparent ambiguity. It may be possible to bring this under one or other items mentioned here. But it is better to include these items specifically. The last amendment proposed will read like this. "Boiling paddy is allowed to be done only under a license. By way of explanation, it is stated "provided that no license shall be required... for boiling paddy for domestic use." Soaking arecanuts is a common thing among our people here, but it is considered to be a breeding place for the mosquitoes. Hence these changes.

Mr. M. K. GOPALA PILLAI: I second it.

The amendment was put and carried.

Mr. S. NATARAJA PILLAI: Sir, I beg to move that "In Schedule IV, in the clause, "keeping together pigs" etc., after the words "sheep or goats or" the words "two or more buffaloes or" shall be inserted.

Mr. M. SIVATHANU PILLAI: I second it.

The motion was put and carried.

The motion that the Schedule as amended stand part of the Bill was put and carried.

The Schedule was added to the Bill.

Schedule V.

Mr. S. NATARAJA PILLAI: I beg to move:

In Schedule V the following shall be added to the item against section 204 namely:—

"(6) committing nuisance in public streets etc., ten rupees.

Nuisance is now an offence and so punishment has been given. Instead of Rs. 50, I propose Rs. 10.

Mr. PUTHUPALLI S. KRISHNA PILLAI: I accept the amendment.

The motion was put and carried.

The motion that the schedule as amended stand part of the Bill was put and carried.

The Schedule was added to the Bill.

PRESIDENT: A number of amendments have been passed. Are you moving the third reading now?

Mr. PUTHUPALLI S. KRISHNA PILLAI: Not now, Sir.

PRESIDENT: You will look into them and see if they fit in.

Mr. PUTHUPALLI S. KRISHNA PILLAI: Yes, Sir.

Travancore Companies Act Amendment Bill.

Sir, I rise to introduce the Travancore Companies Act Amendment Bill and move that the Bill be read in the Assembly.

Mr. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

SECRETARY: The title of the Bill shall be the Travancore Companies Act Amendment Bill.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I beg to move that the Bill be referred to a Select Committee consisting of

Messrs :

S. Chattanatha Karayalar
K. Dominic Joseph
E. E. Pandarathil
M. L. Janardana Pillai
N. V. Joseph
Murukkumpuzha V. Kunjukrishnan
T. C. Kesava Pillai
K. P. Kochukoratharakan
J. W. Tolson
N. John Joseph
G. Velu Pillai.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

THE TRAVANCORE COMPANIES ACT SECOND AMENDMENT BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I request you to permit me to deal with the Companies further Amendments Bill appearing later on in the Agenda, as item No. 9.

PRESIDENT: Yes.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I rise to introduce the Bill to further amend the Travancore Companies Act and move that the same be read in the Assembly.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

SECRETARY: The title of the Bill shall be "The Travancore Companies Act Second Amendment Bill."

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I submit that this second Bill was published in the Government Gazette only some time after the first Bill was published. Both relate to the same Act and the Bill may be referred to the Select Committee to which the first Bill was referred—the Select Committee to report within three months. The report can be submitted sooner.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

THE TRAVANCORE PAYMENT OF WAGES BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir I rise to introduce the Travancore Payment of Wages Bill. Government have already enacted several measures relating to labour in this State. This Bill is only to further supplement such laws. Many complaints were received by Government that the payment of wages in factories was not regular. A Board was appointed by Government to go into the whole question and they inquired into the conditions prevailing in Alleppey, particularly, those relating to mats and matting industry. They have stated that